

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KRAFT FOODS GLOBAL, INC., THE)	
KELLOGG COMPANY, GENERAL)	
MILLS, INC., and Nestlé USA, INC.,)	
)	
Plaintiffs,)	No. 1:11-cv-08808
)	
v.)	Hon. Judge Charles R. Norgle
)	
UNITED EGG PRODUCERS, INC.,)	
UNITED STATES EGG)	
MARKETERS, INC., CAL-MAINE)	
FOODS, INC., MICHAEL FOODS,)	
INC., and ROSE ACRE FARMS, INC.)	
)	
Defendants.)	

**DEFENDANTS' OMNIBUS MOTION FOR LEAVE TO FILE UNDER SEAL
CERTAIN OPPOSITIONS TO PLAINTIFFS'
MOTIONS *IN LIMINE* AND *SANTIAGO* PROFFER**

Defendants Rose Acre Farms, Inc. ("Rose Acre"), Cal-Maine Foods, Inc. ("Cal-Maine"), United Egg Producers, Inc. ("UEP"), and United States Eggs Marketers, Inc. ("USEM"), by and through their undersigned counsel, hereby file this Omnibus Motion for Leave to File Under Seal Certain Oppositions to Plaintiffs' Motions *in Limine* and *Santiago* Proffer ("Motion for Leave") and state the following:

1. Simultaneously with or following the filing of this Motion for Leave, Defendants will be filing the following oppositions to Plaintiffs' motions *in limine* and *Santiago* Proffer and/or certain supporting exhibits under seal (collectively, the "Oppositions"):

- a. Defendants' Memorandum in Opposition to Plaintiffs' Motion *in Limine* No. 3 to Preclude Evidence and Testimony about a November 2011 News Segment about Non-Party Sparboe Farms.
- b. Defendants' Memorandum in Opposition to Plaintiffs' Motion *in Limine* No. 7 to Preclude Reference to the Action or Inaction or Any Federal or State Antitrust Regulator or the U.S. Department of Agriculture.
- c. Defendants' Opposition to Plaintiffs' *Santiago* Proffer.

2. These Oppositions and/or supporting exhibits quote, analyze, refer to and/or cite information that has been designated "Confidential – Subject to Protective Order" or "Highly Confidential – Subject to Protective Order" by parties to this lawsuit and/or third-parties pursuant to Case Management Order No. 10 (Protective Order) entered in the multidistrict litigation, *In re Processed Egg Prod. Antitrust Litig.*, No. 08-MD-2002, Case Management Order No. 10 (Protective Order) at 3, ECF No. 50 (Feb. 12, 2009).

3. Such confidentiality designations mean that the Oppositions and/or supporting exhibits contain information that the designating party believes is subject to protection pursuant to the Protective Order, including, but not limited to, information that constitutes confidential commercial information, personal information not generally disclosed to the public, competitively sensitive materials, and trade secrets.

4. Accordingly, Defendants request leave to file under seal unredacted copies of the Oppositions and/or supporting exhibits.

WHEREFORE, Defendants respectfully request that the Court grant this Motion for Leave and grant them all such other and further relief this Court deems appropriate.

Dated: September 16, 2022 Respectfully submitted,

/s/ Patrick M. Otlewski

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CERTIFICATE OF SERVICE

I hereby certify that on September 16, 2022, the foregoing document was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants registered to receive service in this action.

/s/ Patrick M. Otlewski
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